

IN THE UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF ARKANSAS  
FAYETTEVILLE DIVISION

JON B. FULLERTON

PLAINTIFF

v.

Civil No. 04-5226

JO ANNE B. BARNHART, Commissioner  
Social Security Administration

DEFENDANT

O R D E R

On this 5th day of October, 2005, the court has before it for consideration plaintiff's request for attorney's fees and costs pursuant to the Equal Access to Justice Act, 28 U.S.C. § 2412. For reasons set forth in the report and recommendation filed by the Honorable Beverly Stites Jones, United States Magistrate Judge, dated September 15 , 2005, the court finds that the magistrate's recommendations should be adopted *in toto* and hereby awards plaintiff attorney fees and costs in the amount of \$3,212.60, representing 25.25 hours of work at a rate of \$125.00 per hour and \$56.35 in expenses. This amount shall be paid in addition to, and not out of, any past-due benefits plaintiff may be awarded in the future.

IT IS SO ORDERED.

/s/Jimm Larry Hendren  
JIMM LARRY HENDREN  
UNITED STATES DISTRICT JUDGE